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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,950	02/04/2004	Matthew D. Ferris	2316.1602USDI	5318
7590	06/13/2006		EXAMINER	
Attn: Robert A. Kalinsky MERCHANT & GOULD P.C. P.O. Box 2903 Minneapolis, MN 55402-0903			CHAN, KO HUNG	
			ART UNIT	PAPER NUMBER
			3632	

DATE MAILED: 06/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/772,950	FERRIS ET AL.	
	Examiner	Art Unit	
	Korie H. Chan	3632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 09 May 2006.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 25, 26 and 41-43 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 42 and 43 is/are allowed.
- 6) Claim(s) 25 and 41 is/are rejected.
- 7) Claim(s) 26 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

The indicated allowability of claim 25 is withdrawn in view of the newly discovered reference(s) to Lo (US patent no. 6,520192). Rejections based on the newly cited reference(s) follow.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

Claim 25 is rejected under 35 U.S.C. 102(e) as being anticipated by Lo (US patent no. 6,520192). Lo discloses a method for using a coupler (4, figure 2) and a first trough member (2, figure 2), the method comprising the steps of: providing a terminal end of the first trough member (2, figure 2) coupled to the coupler, wherein the terminal end was inserted in a longitudinal direction into a spacing (inner hollow of 4) defined by the coupler; sliding a locking element (3, figure 2) on the coupler parallel to the longitudinal direction to release a spring (42) from a locking position; and removing the terminal end of the first trough member from the spacing so that the terminal end slides past the spring.

Claim 41 is rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 2,360,159 to Peck. Peck teaches a method for use of a coupler (1) and trough system (ducts on either side of coupler 1) including first and second trough members (unlabeled ducts). The method comprises the steps of providing a terminal end of the first trough member coupled to the coupler (1) and a terminal end of the second trough

member is coupled to the coupler. The terminal ends were inserted in a longitudinal direction into first and second spaces (4, figure 2, 3) defined by the coupler. The first trough member is held to the coupler with a first spring portion (7, figure 2) and the second trough member is held to the coupler with a second spring portion (the other 7 not labeled). Releasing the first spring portion (by pulling the terminal end of the duct away from the space) to release the terminal end of the first trough member without releasing the second spring portion holding the terminal end of the second trough member from the first spacing.

Claims 42 and 43 are allowed.

Claim 26 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Korie H. Chan whose telephone number is 571-272-6816. The examiner can normally be reached on Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on 571-272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Korie H. Chan
Primary Examiner
Art Unit 3632

khc
June 8, 2006